

I claim:

1) A patentability search report concerning an alleged new invention, which search report contains a written evaluation of the patentability of such alleged new invention as compared with at least one prior art document, and wherein such search report is created prior to the filing of a patent application covering such alleged new invention, said patentability search report comprising:

- a) a citing of one or more prior art documents which contains subject matter that is potentially material to the patentability of the alleged new invention;
- b) a written description describing the elements or features contained in such one or more prior art documents; and
- c) at least one written draft patent claim which draft claim embraces a point of novelty of the alleged new invention.

2) A patent search report according to claim 1 wherein said draft patent claim is written by a person registered to represent inventors before the United States Patent and Trademark Office.

3) A patent search report according to claim 1 wherein said draft patent claim is not properly rejectable under any section of either 35 USC §102 or 35 USC § 103 in view of any of said prior art documents.

4) A patent search report according to claim 1 wherein said draft patent claim is in a claim format acceptable to the United States Patent and Trademark Office.

- 5) A patent search report according to claim 1 comprising a plurality of draft patent claims.
- 6) A patentability search report according to claim 1 further comprising: d) one or more written statements pointing out the differences between the elements or features contained in one or more of said prior art documents and the alleged new invention as described by said draft patent claim.
- 7) A patentability search report according to claim 1 further comprising: d) a written statement reflecting an opinion about the patentability of the alleged new invention as described in said draft patent claim in view of the prior art documents cited.
- 8) A patentability search report according to claim 7 wherein said written statement includes a statement in reference to any section of 35 USC § 102.
- 9) A patentability search report according to claim 7 wherein said written statement includes a statement in reference to any section of 35 USC § 103.
- 10) A patentability search report according to claim 6 further comprising: e) a written mock rejection of said draft patent claim.
- 11) A patentability search report according to claim 10 wherein said mock rejection conforms substantially to the form used by the United States Patent and Trademark Office in rejecting patent claims in applications pending before it.

12) A patentability search report according to claim 10 wherein said mock rejection is written by a person registered to represent inventors before the United States Patent and Trademark Office.

13) A patentability search report according to claim 10 wherein said mock rejection includes a statement in reference to any section of 35 USC § 102.

14) A patentability search report according to claim 10 wherein said mock rejection includes a statement in reference to any section of 35 USC § 103.

15) A patentability search report according to claim 10 further comprising: f) a written statement describing at least one means for potentially obviating said mock rejection.

16) A patentability search report according to claim 1 wherein one or more prior art documents cited describe subject matter selected from the group consisting of: a) an article of manufacture; b) a process; c) a composition of matter; d) a machine; and e) a method of doing business.

17) A patentability search report according to claim 1 wherein said alleged new invention is an invention which falls within the statutory classes of patentable subject matter selected from the group consisting of: a) an article of manufacture; b) a process; c) a composition of matter; d) a machine; and e) a method of doing business.

18) A patentability search report concerning an alleged new invention, which search report contains a written evaluation of the patentability of said alleged new invention as compared with at least one prior art document, and wherein the search report is created prior to the filing of a patent application covering said alleged new invention, said patentability search report comprising:

- a) a citing of one or more prior art documents which contains subject matter that is potentially material to the patentability of the alleged new invention;
- b) a written description describing the elements or features contained in such one or more prior art documents;
- c) at least one written draft patent claim which draft claim embraces a point of novelty of the alleged new invention, wherein said draft patent claim is written by a person registered to represent inventors before the United States Patent and Trademark Office;
- d) a written mock rejection of said draft patent claim, which mock rejection is based at least in part on the presence or arrangement of elements or features contained in at least one of said prior art documents in said citing, wherein said mock rejection is written by a person registered to represent inventors before the United States Patent and Trademark Office.

19) A patent search report according to claim 18 wherein said draft patent claim is not properly rejectable under any section of either 35 USC §102 or 35 USC § 103 in view of any of said prior art documents.

20) A patent search report according to claim 18 wherein said draft patent claim is in a claim format acceptable to the United States Patent and Trademark Office.

21) A patentability search report as in claim 18 and further comprising: e) a written statement describing at least one means for potentially obviating said mock rejection.

22) A patentability search report concerning an alleged new invention, which search report contains a written evaluation of the patentability of said alleged new invention as compared with at least one prior art document, and wherein the search report is created prior to the filing of a patent application covering said alleged new invention, said patentability search report comprising:

- a) a citing of one or more prior art documents which contains subject matter that is potentially material to the patentability of the alleged new invention;
- b) a written description describing the elements or features contained in such one or more prior art documents;
- c) at least one written draft patent claim directed at the subject matter of said alleged new invention which draft claim embraces a point of novelty of the alleged new invention;
- d) one or more written statements pointing out the differences between the elements or features contained in one or more of said prior art documents and the alleged new invention as described by said draft patent claim; and
- e) a written statement reflecting an opinion about the patentability of the alleged new invention as described by said draft patent claim.

23) A patentability search report according to claim 22 and further comprising:

f) a written mock rejection of said draft patent claim, which mock rejection is based at least in part on the presence or arrangement of elements or features contained in at least one of said prior art documents in said citing.

24) A patentability search report as in claim 23 and further comprising:

g) a written statement describing at least one means for potentially obviating said mock rejection.

25) A patent search report according to claim 23 wherein said draft patent claim is not properly rejectable under any section of either 35 USC §102 or 35 USC § 103 in view of any of said prior art documents.

26) A patent search report according to claim 23 wherein said draft patent claim is in a claim format acceptable to the United States Patent and Trademark Office.

27) A process for providing a patentability search report concerning an alleged new invention prior to the filing of a patent application covering such alleged new invention, which search report contains a written evaluation of the patentability of the alleged new invention as compared with at least one prior art document, the process comprising the steps of:

- a) reviewing documents contained in the prior art;
- b) identifying one or more prior art documents that describe subject matter that is potentially material to the patentability of the subject invention;
- c) providing a written description of the identity of and the elements or features contained in such one or more prior art documents identified in b); and
- d) providing at least one written draft patent claim, which draft claim embraces a point of novelty of the alleged new invention.

28) A process according to claim 27 wherein said draft patent claim is written by a person registered to represent inventors before the United States Patent and Trademark Office.

29) A process according to claim 27 further comprising the step of: e) providing at least one written statement concerning the patentability of said draft patent claim in view of said one or more prior art documents identified.

30) A process according to claim 29 wherein said written statement includes a statement in reference to at least one section of 35 USC § 102.

31) A process according to claim 29 wherein said written statement includes a statement in reference to at least one section of 35 USC § 103.

32) A process according to claim 29 further comprising the steps of: f) formulating a mock rejection of said draft patent claim; and g) providing said mock rejection in written form.

33) A process according to claim 32 wherein said mock rejection conforms substantially to the form used by the United States patent and Trademark office in rejecting patent claims in applications pending before it.

34) A process according to claim 32 wherein said mock rejection is a rejection under any section of 35 USC § 102.

35) A process according to claim 32 wherein said mock rejection is a rejection under any section of 35 USC § 103.

36) A process according to claim 32 further comprising the step of: h) providing a written statement describing at least one means for potentially obviating said mock rejection.